

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JEROME DEERING BEY,

Petitioner,

Case Number: 2:20-CV-11559
HON. DENISE PAGE HOOD

v.

J. HEMINGWAY,

Respondent.

_____ /

ORDER DISMISSING CASE WITHOUT PREJUDICE

Jerome Deering Bey is confined in the Federal Correctional Facility in Milan, Michigan. On June 5, 2020, he commenced this action by filing what he characterized as a “status inquiry.” (ECF No. 1, PageID.4.) For the reasons set forth, the Court will dismiss this case without prejudice.

Bey’s pleading was docketed as a petition for a writ of habeas corpus, but it is clear that Bey did not intend to file a habeas corpus petition. Instead, he seeks to inquire about the status of two previous filings. On or about April 30, 2020, Bey mailed to the Court a petition under 28 U.S.C. § 2241 and a motion for home confinement, but as of the time he filed his status inquiry he did not know whether the papers had been received and filed by the Court. In fact, the Court received Bey’s papers and they were filed as a new case. *See Bey v. Hemingway*, No. 2:20-

cv-11338. Shortly after filing the instant “status inquiry”, Bey filed a motion for reconsideration in the previously filed habeas case. At that point, he was plainly aware of the status of that case.

It is clear that Bey did not intend to initiate a new habeas corpus proceeding by filing a “status inquiry.” It is also evident that Bey now knows the status of his earlier filings.

For these reasons, the Court **ORDERS** this matter **DISMISSED WITHOUT PREJUDICE**.

s/Denise Page Hood
Chief Judge, United States District

Dated: November 23, 2020